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PROFILE: Professor Marci Seville

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PROFILE: Professor Marci Seville

By Wendi Reed*

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Professor Marci Seville has a passion for teaching students the everyday skills of legal practice, while helping them make a difference in the lives of San Francisco's working poor. Since 1993, she has been mentoring students at the Women's Employment Rights Clinic at Golden Gate University School of Law, as they hold their first client interview, attend their first hearing or cross examine their first witness.

Prof. Seville remembers when she, like her students, was just learning the ropes and getting her legal education. In the seventies, Rutgers was an exciting place to study law. Unlike the situation in most law schools at that time, Rutgers had a very diverse student population and a deep commitment to public interest programs. Even though Rutgers had extensive clinical programs, she was surprised to discover that most other law schools did not.

After graduating from law school, she made her way from the East Coast to California and worked for attorney Howard Moore, who had been at the heart of the Civil Rights movement in the south. Thanks to Mr. Moore's mentorship, she was able to develop her legal expertise, without being thrown in "over her head." His attentive mentorship, coupled with that of dedicated clinical professors at Rutgers, would foreshadow the close working relationship Prof. Seville fosters with students at the employment rights clinic where she works today.

In the years before founding the employment rights clinic, she added to her legal knowledge and expertise by serving as counsel for the Industrial Welfare Commission (IWC). There she gained a newfound respect for the importance of the IWC's wage orders in California wage and hour law. From 1983 until 1993, she served as in-house counsel to the California School Employees Association in San Jose, providing legal representation to union members and developing a training program for union representatives in how to handle administrative hearings and arbitrations—a program still thriving today.

In 1993 Prof. Seville accomplished one of her best-known achievements: establishing the Women's Employment Rights Clinic (WERC) at Golden Gate University School of Law in San Francisco. Students in the program get real-world experience handling employment cases, often from start to finish. With consultation and guidance provided by Prof. Seville and her colleagues, students interview prospective clients, investigate facts, and learn firsthand the ethical and practical intricacies involved in handling administrative and court cases.

Like a proud parent, Prof. Seville describes with satisfaction what engaged and responsible advocates the clinic students are. Although she and her colleagues work closely with students through the various steps of the process, they find that students are extremely conscientious and prepared, able to step up to the plate and handle the client representation on their own. Prof. Seville regularly provides a calming word at the right moment, such as assuring nervous students before their first hearing that nerves are a natural part of the process—and that "butterflies" do subside.

In addition to learning practical skills and developing a zeal for the real-life practice of law, students at the clinic come away with an enhanced respect for the struggles of the working poor. Even former clinic students who don't become plaintiffs' attorneys after graduation learn firsthand about the difficulties of being a low-wage worker in America: being above the poverty line but unable to afford a lawyer.

The vast majority of WERC cases involve unemployment compensation, wage and hour issues, or employment discrimination. Other recent student projects include working with Prof. Seville to prepare a response to the U.S. Department of Labor's request

for information on the Family and Medical Leave Act¹ (i.e., on the effectiveness of both the current implementing regulations and the Department's administration of the Act).

Currently faculty and students at the clinic are working on the appeal in *Yan Fang Mei v. Wong*, a suit for unpaid wages, damages and penalties for 280 immigrant garment workers. Other major WERC cases (sometimes done in collaboration with other legal clinics in the community) have included the following: *Cuadra v. Millan*,² a California Supreme Court decision holding that back wage awards must be calculated from the date the employee files the wage claim, and not from the date the labor commissioner holds a hearing; and *Alfaro v. Tanimura & Antle*, a pattern and practice sexual harassment suit on behalf of immigrant farm workers, which resulted in a \$1.8 million pre-litigation settlement with significant injunctive relief.

Over the years Prof. Seville has taken time to enjoy traveling and spending time with a "wonderful network" of contacts around the country and around

the world. Her recent travels included a "fascinating" and rewarding trip to Peking and Qingdao, China, where she was a presenter at both a comparative labor law conference and a clinical training program for Chinese law professors. Prof. Seville trained the professors in how to do teaching and mentoring work in a legal clinic setting, using techniques such as role playing. Because the young professors were so enthusiastic and engaged, she remembers her experience in China as one of the highlights of her legal career.

Prof. Seville also had the opportunity to serve for four years as a court-appointed Consent Decree Monitor in a Title VII class action case, an experience that is particularly helpful in working with students who hope to pursue a career as a neutral in mediation or arbitration.

In many ways, Professor Marci Seville's career is a shining example of how to leave the world a better place. In addition to serving the working poor in the community today, she simultaneously trains those who will be serving the needs of the community tomorrow.

¹ See <http://www.dol.gov/esa/regs/fedreg/proposed/2006009489.htm>.

² 17 Cal. 4th 855 (1998).

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